

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

COMPANY DOE,

\*

Plaintiff,

\*

vs.

\*

Civil No.: 11-cv-2958-AW

INEZ TENENBAUM, in her official capacity as Chairman of the Consumer Product Safety Commission, and the CONSUMER PRODUCT SAFETY COMMISSION,

\*

Defendants.

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**PLAINTIFF'S RESPONSE TO CONSUMER GROUPS' MOTION TO INTERVENE**

Plaintiff does not object to the Consumer Groups'<sup>1</sup> Motion to Intervene under Rule 24(b) for the purpose of appealing the Court's July 31, 2012 order insofar as it grants Plaintiff's Motion to Seal and denies Consumer Groups' Motion to Unseal Filings. *Company Doe v. Tenenbaum*, No. 11-cv-2958-AW, Dkt. 52 (Aug. 7, 2012). Plaintiff notes that its consent to Consumer Groups' motion is based on its understanding, pursuant to conversations with counsel for Consumer Groups, that intervention will be limited to issues relating to the sealing of submissions to the Court, as well as the Court's full opinion, and Company Doe litigating this matter under a pseudonym. It is Plaintiff's understanding that the Motion to Intervene does not encompass the merits of the case itself. In addition, Plaintiff's position is

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<sup>1</sup> "Consumer Groups" refers to Public Citizen, Consumer Federation of America, and Consumers Union.

based on its understanding that Consumer Groups do not seek to participate in the redactions process outlined in the Court's July 31, 2012 order. *See id.*, Dkt. 50.<sup>2</sup>

Pursuant to the Court's July 31, 2012 order, Plaintiff hereby indicates that it does not believe it is necessary to seal this document or the Consumer Groups' Motion to Intervene, Memorandum, and Proposed Order.

Respectfully submitted,



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Dated: August 23, 2012

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<sup>2</sup> Plaintiff's non-opposition to the Consumer Groups' Motion to Intervene further assumes the existence of a continuing case in controversy in which intervention would be appropriate. Should the CPSC determine not to appeal the July 31, 2012 decision and order of this Court or not to pursue an appeal taken, Plaintiff would at that time wish to reconsider its position with respect to the Consumer Groups' motion.